

City of Cincinnati



Office of City Solicitor

Room 214, City Hall
801 Plum Street
Cincinnati, Ohio 45202
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J. Rita McNeil
City Solicitor

May 3, 2007

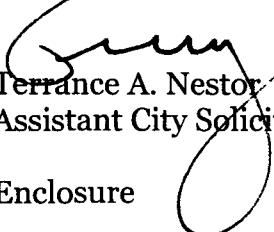
Robert Duett
545 Burr Oak Street
Cincinnati, Ohio

Re: Water in Basement Claim

Dear Mr. Duett:

Please allow this to confirm our telephone conversation earlier this week wherein you accepted the City's last offer of \$18,000.00. I am in receipt of your signed release dated May 1, 2007. I am enclosing the settlement check. Please allow this to confirm that I will advise the Federal Court that this matter is resolved. Thank you for your timely resolution of this matter. If you have any additional questions or concerns, please contact me at 352-3327.

Very truly yours,


Terrance A. Nestor
Assistant City Solicitor

Enclosure

EXHIBIT

A

RELEASE

THAT, Robert Duett, 545 Burr Oak Street, Cincinnati, Ohio 45232, for the sole consideration of EIGHTEEN THOUSAND AND 00 /100 DOLLARS (\$18,000.00), received by him to his satisfaction from the City of Cincinnati, on behalf of the City of Cincinnati, its employees, successors and assigns, does hereby, release and forever discharge said City of Cincinnati, its employees, successors and assigns to the date of these presents, from any and all claims, demands, actions and causes of actions whatsoever, or in any manner arising from an incident on June 23, 2006, at 545 Burr Oak Street, in Cincinnati, Ohio.

It is further understood and agreed that the payment of said amount of money as stated above is not to be construed as an admission of liability on the part of the City of Cincinnati, its employees, successors or assigns; liability by them being expressly denied. It is expressly understood and agreed that the payment of the above stated sum of money is the sole consideration of this release and the consideration stated herein is contractual and not a mere recital. It is expressly understood and agreed that all agreements and understandings between the parties are embodied and expressed herein.

IN WITNESS WHEREOF, I have hereunto set my hand at Cincinnati, Ohio
this 1st day of MAY, 2007.

Robert Duett

Robert Duett

WITNESSED BY:

David E. Tincher

Signed + subscribed to in my presence by Robert Duett
this 1st day of MAY 2007

David E. Tincher

David E. Tincher
Notary Public
State of Ohio
My commission expires March 17, 2009

My commission expires 3-17-2009

EE:11/10/2009
2009-03-17
2009-03-17

EXHIBIT

B